

House File 2456

H-8121

- 1 Amend the amendment, H-8102, to House File 2456 as follows:
- 2 1. Page 1, after line 1 by inserting:
- 3 <___. Page 1, after line 16 by inserting:
- 4 <Sec. ___. Section 125.82, subsection 4, Code 2018, is
- 5 amended to read as follows:
- 6 4. The respondent's welfare is paramount, and the hearing
- 7 shall be tried as a civil matter and conducted in as informal a
- 8 manner as is consistent with orderly procedure. The hearing
- 9 may be held by video conference at the discretion of the
- 10 court. Discovery as permitted under the Iowa rules of civil
- 11 procedure is available to the respondent. The court shall
- 12 receive all relevant and material evidence, but the court is
- 13 not bound by the rules of evidence. A presumption in favor of
- 14 the respondent exists, and the burden of evidence and support
- 15 of the contentions made in the application shall be upon the
- 16 person who filed the application. If upon completion of the
- 17 hearing the court finds that the contention that the respondent
- 18 is a person with a substance-related disorder has not been
- 19 sustained by clear and convincing evidence, the court shall
- 20 deny the application and terminate the proceeding.>>
- 21 2. Page 5, line 7, after <association,> by inserting <Iowa
- 22 behavioral health association,>
- 23 3. By renumbering as necessary.

LUNDGREN of Dubuque